

Edgefield Advertiser.

"We will cling to the Pillars of the Temple of our Liberties, and if it must fall, we will Perish amidst the Ruins."

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EDGEFIELD ADVERTISER.

W. F. DURISOE, PROPRIETOR.

NEW TERMS.

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MISCELLANEOUS.

From the Mercury.

THE SOUTH CAROLINA COLLEGE.

Let good remain as it is—for he hazareth sore that waxeth wise by experience.—ROGER ASCHAM'S "TOXOPHILUS." The liberality allowed by a latter day grants each one the right to express himself freely under particular conditions.—Discussion will often produce good, by eliminating and thereby exposing evil, yet there is no voluntary act requiring more room for deliberation and extreme caution, than an exposure in the public Journals of supposed imperfections in public Institutions of a particular class. A healthy restriction is given to the inroad of looseness in irresponsible power by timely notice—but we must be assured of the truth of every point of our accusation, where so much harm is likely to ensue from conveying a false impression to the public mind, depending as they do for support on its favorable opinion. It is obvious that its officers cannot with propriety reply in defence of themselves—an educational establishment of a high grade from a salutary deficiency in the attendance on its public examinations, cannot show demonstratively its superiority in qualifications, or its capabilities for the purposes intended—these must ultimately be determined by its fruits. To none then can unnecessary or false blame be attached with more irreparable injury; and the nicest discrimination is therefore requisite in condemning either its measures or its men. Now that the South Carolina College has not retrograded, but is superior, both as respects the course of instruction, its Professors, and its numbers, to what we find at its earliest date and for many years succeeding, is not only determined by fact, but is otherwise the result of thirty years advance in the nineteenth century,—attended with all the benefits acquired by experience and the accumulated facilities derived from wise, generous and continued support. Its fruits await but time to develop them. We are apt, in quest of something, to cavil at the present and venerate the past, and from this very principle draw comparisons between the scholarship of a few of its early alumni, and the want of it in those of a latter day. An adherence to early and by-gone days is commendable in research for legal precedent, and things sanctified by hoary tradition may be revered by antiquarians, but assuredly the South Carolina College has not this to boast,—and it does not apply, when the living witnesses of even its remotest inception are before us; it is invidious and unfair, for their locks are whitened by time, and in them we view the results of years of industrious study and laborious research. There are those of an advanced day that can compete and are fast hastening eminently to vindicate their generation and their Alma Mater. It is well known that what were the studies of an advanced class, twenty years since, constitute those of one far inferior now, and if our halls of learning are not as crowded as those in regions more densely populated, it is the unavoidable effect of the halo thrown around them by age, greater variety of branches and number of instructors, frequently in donations from private individuals for the endowment of particular schools, combining at an early period to attract our students and their wealth in far greater numbers than at present. That we can expect to rival them, can only be accomplished by the steady perseverance of a wise and patriotic Legislature, assisted by an enlightened and attentive Board of Trustees, pursuing a course that would ensure a reputable contrast with the most favored—most certainly not by curtailing the number of Professors, abridging the means of instruction, or weakening public confidence. If the Press or its correspondents are to take cognizance in order to condemn, why did the State in its wisdom see fit to entrust it specially to a Board of Inspectors, selected from the learning and the parents of the land. To censure its Professors because forsooth this one is disliked for that foible, and that ridiculed for another, this holds a private opinion obnoxious to a second, the other to a third. When can a set of men, the wisest and most competent, be ever free from the abjections of a population comprising some three hundred thousand. Where would we ask was there ever a depot where young men are congregated in numbers and there be not dissipation among a portion? Is there less at the

Northern Colleges because we do not see it?—consult those who have graduated elsewhere and they will tell you infinitely more. A comparison between them is strikingly in our favor; so atrocious are the records of their extravagance and vice that we meet them in the public press.—And when has it here occurred that war to the knife has been waged against a constitutional authority, either civil or collegiate. And yet, in the veins of the one, is the stagnant blood of a frozen region, and in the other courses, that of the 'excitable Southron.' If within our own limits disturbance is more frequent than heretofore, it can only be referred to an increase of numbers; and the liberality of the age—those of an earlier date inconceivably evidence that it is far less.

We would refrain from referring to individuals composing its Faculty, were it not to correct impressions that have gone forth. Silence is less to be lauded than the original insinuations of supposed imperfections. It is needless to say we do not consider the S. C. College faultless, there are grounds for improvement, and laxity at a point or two, has crept in here as in all kindred establishments; these are all well known and commented upon—its advantages are disregarded, we will canvass each but refer more particularly to the latter. The correspondent of the Courier justly blames the negligence of the Professor of Mathematics on one branch of his department,—Astronomy. The Professor gives ample evidence of his intimate acquaintance with every part of his duties, from the satisfactory conclusions of the "Plain and Spherical" to the more imaginative requirements of the "Descriptive Geometry"—from the "Mechanics Celeste" of La Place to Newton's "Principia." But for what is he principally valued, and wherein lies that which would otherwise make him indispensable necessary; he is essentially the disciplinarian, continuously solicitous for the welfare of the Institution, if necessary, life and limb is perilled in its behalf.—Three fourths of our rioters are despatched to their fond and sympathizing home-lands by his ever watchful eye and cautious footstep which neither slumbereth nor sleeps.

Full well have the boding tremblers

The day's disaster in his morning face;
And still they gaze—and still the wonder grows,
That one small head should carry all he knows!"

If the unsatisfied are anxious for the description—if they think the actions of young men should be carefully scrutinized let them rest assured their wishes are abundantly fulfilled. As regards his capacity for action he plainly exhibits the commanding energy imparted by military education and has more than once borne honorable testimony to his skill, patriotism, and daring in preserving the property of our citizens generally, and we ourselves have witnessed his promptitude in rescuing from the devouring element the buildings of the Institution with which we were more intimately connected. The Belles Lettres Professor is a Carolinian and a gentleman, chosen out of a number of brilliant competitors, from the heart of our people, he awaits but the lapse of a short time to do that justice to his department which it so eminently requires.—That we should have gained one to adorn the beauties of this fascinating study peculiarly qualified with the varied and elegant attainments of Legare or Everett, was more than could reasonably be expected, and should probably have been attended with compensating deficiencies; what want of preparation and timely notice did not allow, his zeal is rapidly mending and daily accessions are made to the value of his lectures. A gentlemanly bearing that teaches by example; liberal and candid advice, peculiarly fitting him to win the confidence of the precipitate and disarm prejudice of its meditated feeling, how many will think of his kindly feeling in the hour of sickness, his promptness in seeking out and relieving distress.

The writer says of the President, Dr. Henry—To rival his precursor in capacity for management, is impossible, but that one so capable does not command the attention due to his merits, is as we said before not surprising. The learning, ability and varied scholarship displayed in the adornment of a brilliant periodical, in the exposition and correction of the false and erroneous impressions conveyed by Text Books selected from an early date will assuredly obtain the satisfaction of the reflecting; we have listened to lectures and strictures on the various subjects discussed by Paley and Locke, of a civil, political, intellectual and moral nature, that for appropriateness and fitness and elegance were unrivalled, when early prejudices were disarmed this will be acknowledged. Arduous duties devolving upon so responsible a situation forbid an attendance upon other branches, though the troublesome task of conducting a class in Aristophanes was not shunned.

That the Professor of Chemistry and Geology does not pretend to lecture on the latter is so—and it is rather disingenuous that it is still to be attached to his name, thereby deluding the public into the belief that it is taught. Though we do not wish to be considered as undervaluing its use to Southerners and Agriculturists, yet we believe the act requiring him to lecture on Geology is more honored in the breach than in the observance; there are none who would say they regretted it, for it is at the expense of what is communicated in Chemistry, and it certainly

would be in this its growing age, 'twere less irreparable. The Professor of Chemistry can compare for information and accuracy with any that the State could obtain throughout the wide extent of the Union. There are others who have made greater discoveries, but there are none who could take more absorbing interest in the welfare of his department—the midnight lamp and the unflinching experiment equally attest his zeal and superiority, his lectures, combining profound philosophical analysis with the more superficial and attractive graces of language, are unrivalled. Agricultural Chemistry has received his attention, but the period allowed for imparting the mass of facts derived from so rapidly improving a science is short. The Professorship is most liberally endowed, and all know its use. The gentleman who fills Old History's Chair, we hesitate not to say is more disparaged and less deserving of it than any of his co-peers. He is a foreigner, and though claiming the epithet of the chivalrous! the generous! the brave! the sons of Carolina are not those of La Belle France! It has been a habit to depreciate his exertions from principles stated before. That gentleman's celebrity is unquestionable, his works attest the universality and the solidity of his attainments and we regret to say that his presence in this State is not estimated as elsewhere, both at the North and in Europe; where his genius and learning have met with greater rewards. The Prophet is not without honor, &c. &c. Now we ask in sincerity, from what single individual have the minds of students been most blessed? and from whom have they derived a greater expansion of ideas—more useful hints implanted, or more valuable information conveyed on topics innumerable? united with the readiness and actual pleasure exhibited in pouring out the treasures of his erudition, officially and in private, in comparison with which his compensation dwindles to a pittance.

We profess the utmost astonishment and mortification when we saw a late writer congratulating himself upon the call of a Chaplain of the South Carolina College to the North; little is he capable of foretelling our loss should he determine to accept! We have heard the expository

beardened to the thrilling private lecture elucidating Scripture—and caught the words of earnest exhortation as they fell on the Sabbath, and yet never known an expression, that either actually or implied, leaned towards the peculiar tenets of his own sect—whose capacity enforces the precepts of Theology and the evidences of Christianity? Whose imagination "Bodily forth the forms of thought," has imperceptibly turned man an erring youth from the mediated vice, and taught him that which leads to heaven? Whose kindling eloquence with declamation divinely powerful, aroused their dormant energies in the cause of Temperance, and waking into life each silent spring, nerved and sustained it when repugnance was about to resume its wonted sway? Whose authority has restrained the rebellious and quelled the seditious? Many a parent, did they know it, would point with gratitude to the individual whose absence is desired!—the rewards of conscience are his, and suicidal will be the blow that allows him but that only to recur to. "Fortunatus nimium bona sua norit." Let every Carolinian watch with scrutiny the first attempts to weaken public confidence in this the cherished offspring of their State—let them ever strive to maintain its rank and exalt its position; in that dark hour when ignorance was predominant over a portion of the land, one more favored by early settlement contended, year after year, to sustain it in its infant days—when every pittance for its benefit was gained by their most strenuous exertions, wrung out at the price of faction and even the peril of internal division, and now when its original opposers, enlightened by its agency, have acknowledged the value of that which they attempted to crush and reap rewards more enduring than the expenditure of millions—now when we see the "joint force and full result of all" when kindred institutions spring up in competition! shall we fail in our exertions? or worse than all, listen to the whims and caprices of the dissatisfied few! We would appeal to its students, in recollecting the responsibility of their position, to emulate the enthusiasm of its founders, their fathers, and yield not to that pettiness and frivolity which detracts from the character it is intended they should possess, and with which they alone can investigate the Institution. We have deviated from our neutrality to pose a lance in its favor—if it breaks it in defence we grudge not the fracture. "We love thee, and it is our love that speaks."

"ST. JOHNS"

Death of Gen. Sewall.—The Gospel Banner, published at Augusta, Me., says: "Major General Henry Sewall a veteran patriot of the Revolution, and a patriarch in the social state, departed this life at his residence in this town, on Thursday of last week, aged 93 years. Few men have been more useful or more deserved honor through a long life than he. Gen. S. was in the whole revolutionary struggle, having entered the army in 1775, and continued in it till the peace of 1783. He was personally acquainted with Washington, to whose staff he was for a time attached. There are letters now in his house written him by Washington in friendly correspondence after the war was over."

From the N. O. Picayune.

THE CONSTITUTION OF TEXAS.

We have neither time nor room to make an analysis of the new Constitution, but will briefly advert to some of its peculiar provisions, at the risk of repeating ourselves. We need not say that the instrument is modeled upon the theory of most of our own State Constitutions.

Every free male person, twenty one years of age, who shall be a citizen of the United States, or who is, at the time of the adoption of the Texas Constitution by the Congress of the United States, a citizen of the Republic of Texas, and shall have resided in the State one year next preceding an election, and the last six months within the district, county, city or town in which he offers to vote. (Indians, not taxed, Africans and descendants of Africans excepted) is to be deemed a qualified elector.

The term of office of members of the House is two years, and the sessions of the Legislature are biennial. To be eligible to the House, one must be a citizen of the United States, or, at the time of the adoption of the Constitution, a citizen of the Republic of Texas and an inhabitant of the State for two years next preceding his election, and the last year thereof a citizen of the county, city or town for which he shall be chosen, and have attained the age of twenty one years at the time of his election.

The term of the Senators is four years, and are to be divided into two classes, as that one half may be chosen biennially. The additional qualification for Senator is, to have been an inhabitant for three years, and to be thirty years of age.

No minister of the Gospel or priest is eligible to the Legislature.

The Executive is to nominate the judges of the Supreme and District Courts, and with the advice of two thirds of the Senate, commission them for six years.

The Attorney General is appointed in the same manner, and holding his commission for two years.

The Governor is to hold his office for two years, and shall not be eligible for more than four years in any term of six years. His other qualifications are like a Senator's. The salary of the first Governor is to be \$2,000, and no more. He can hold no other office or commission, civil or military.

No minister of the Gospel is required to perform military duty, work on roads, or serve on juries.

The oath of office is so formed, that in addition to the usual provisions, one must swear that since the adoption of the Constitution he has not fought a duel within or without the State; nor sent or accepted a challenge; nor any way aided or assisted any person thus offending.

And all who shall offend, (by fighting a duel, accepting a challenge, &c.) after the adoption of the constitution, shall be deprived of holding any office of trust or profit.

In all elections by the people the vote is to be by ballot, till the Legislature otherwise direct; in elections by the Senate or House, except for their own officers, the vote shall be *in voce*.

No member of Congress, nor person holding office under the United States, or either of them, or a foreign power, is eligible to the Legislature, or can hold office under the State.

The laws are to be revised five years after the adoption of the Constitution and published; and the same repeated every ten years thereafter.

No lottery can be authorized by the State, and the buying and selling of all tickets is prohibited.

No divorce can be granted by the Legislature. All property, both real and personal of the wife, owned or claimed by her before marriage, and that acquired afterwards by gift, devise or descent, shall be her separate property; and laws shall be passed more clearly defining the rights of the wife, in relation as well to her separate property as that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property.

All claims, locations, surveys, grants and titles to land, which are declared null and void by the Constitution of the Republic of Texas, and the same shall remain forever null and void.

No corporate body shall be created, renewed or extended, with banking or discounting privileges.

No private corporation shall be created, unless the bill creating it shall be passed by two thirds of both houses of the Legislature; and two thirds of the Legislature shall have power to revoke and repeal all private corporations, by making compensation for the franchise. And the State shall not be part owner of the stock or property belonging to any corporation.

The Legislature shall prohibit by law individuals from issuing bills, checks, promissory notes, or other paper to circulate as money.

Most ample provisions are made for education, but we have not room to enter further upon the Constitution today.

The vote upon the adoption of the Constitution is to be *in voce*. Should it appear from the returns to have been adopted, the President, on or before the second Monday in November next, is to issue his proclamation, directing and requiring elections to be held on the third Monday in December next, for the office of Governor, Lieutenant Governor, and Members of the Senate and House of Representatives in the State Legislature, in accordance with the appointment of

representation directed by the Constitution.

Upon receiving intelligence of the acceptance of the Constitution by the U. S. Congress, the President is to convene the State Legislature, when the votes for Governor and Lieutenant Governor, &c. are to be counted, and the persons elected at once installed.

The Legislature shall proceed as early as practicable to elect Senators to represent the State in the Senate of the United States; and also provide for the election of Representatives to the Congress of the United States.

The President of Texas, immediately after the inauguration of the Governor, is to deliver to him all the records, public money, documents, archives, and public property of every description whatsoever, under the control of the Executive branch of the Government, and the governor shall dispose of the same in such manner as the Legislature may direct.

The first general election for Governor, Lieutenant Governor, and Members of the Legislature, after the organization of the Government, shall take place on the first Monday in November, 1846, and shall be held biennially thereafter, on the first Monday in November, until otherwise provided by the Legislature; and the Governor and Lieutenant Governor elected in December next, shall hold their office until the installation in office of the Governor and Lieutenant Governor, to be elected in the year of 1847.

From Texas.—The brig "Hope Howes" which arrived here yesterday from Galveston, brought fuller, though not later files of Texan papers. Of course there is not much news.

The Texan papers have given to the public for the first time, the secret treaty between Santa Anna and Texas, by which the former obtained his release when a prisoner. The Galveston News says it was found among the papers of Gen. Austin. Originally the treaty was inclosed in a letter written by Santa Anna to Gen. Jackson, then President of the United States, and the whole accompanied by another letter, written by Gen. Austin, at Santa Anna's request, to the same disingenuous man, soliciting his mediation and influence for the settlement of difficulties between Mexico and Texas.—Gen. Austin's letter explains fully the grounds upon which Santa Anna obtained his release—all of them having reference to the solemn pledge made by the latter to use all his exertions to obtain the acknowledgement of Texas independence to the Rio Grande. The Mexican Government never sanctioned this treaty, although they regained their army by it.

Mr. Nathan Taylor, a respectable citizen of Montgomery county, Texas, was shot dead on the 22d ult., while playing a game of chess with his wife. The assassin is utterly unknown. Alfred Polk, a relative of the President of the United States, was recently elected Chief Justice of the county of San Augustine.—*Ibid* 20th.

We glanced at some of the peculiarities of the new Constitution of Texas yesterday; today we must conclude the subject by mentioning a few other provisions. In its grand outline, as well as its details, it is too much like the Constitutions of the old States to need elucidation.

The proposed Constitution provides that the ordinances passed by the Convention on the 4th day of July last, assenting to the overtures for the Annexation of Texas to the United States, shall be attached to the Constitution and form a part of the same. This must be continually borne in mind, as the creation of new States is therein provided for.

The city of Austin is assigned as the seat of government until 1850, after which it is to be located by the people, by a vote to be taken in March, in a mode pointed out.

The Supreme Court has appellate jurisdiction only; the District Courts have jurisdiction both in law and equity, and in all cases in equity, either party may claim a trial by jury.

The pardoning power is vested in the Executive, except in cases of treason and impeachment. The Governor possesses the veto power, qualified, however, as in the United States Constitution.

In no case can the Legislature authorize the issue of treasury warrants or treasury notes, or paper of any description, to circulate as money.

The Legislature has power to protect by law, from forced sale, a certain portion of the property of all heads of families. The homestead of a family not to exceed two hundred acres of land, (not included in a town or city,) or any town or city lot or lots, in value not to exceed \$2,000, shall not be subject to forced sale for any debts hereafter contracted; nor shall the owner, if a married man, be at liberty to alienate the same, unless, by the consent of the wife, in such manner as the Legislature may hereafter point out.

Taxation is to be uniform throughout the State; the Legislature may pass an income tax, and it may exempt from taxation \$250 worth of household furniture or other property belonging to each family in the State.

The Legislature cannot contract debts to exceed in the aggregate the sum of \$100,000, except in case of war, to repel invasions, or suppress insurrections; and in no case shall any amount be borrowed, except by a vote of two thirds of both Houses of the Legislature.

In conclusion, we copy entire the pro-

visions of the proposed Constitution in regard to slaves.

Sec. 1.—The Legislature shall have no power to pass laws for the emancipation of slaves, without the consent of their owners, nor without paying their owners, previous to such emancipation, a full equivalent in money, for the slaves so emancipated. They shall have no power to prevent emigrants to this State, from bringing with them such persons as are deemed slaves by the laws of any of the United States, so long as any person of the same age or description shall be continued in slavery by the laws of this State: *Provided*, that such slave shall be the bona fide property of such emigrants: *Provided*, also, that laws shall be passed to prohibit the introduction, into this State, of slaves who have committed high crimes in other States or territories.—They shall have the right to pass laws to permit the owners of slaves to emancipate them, saving the rights of creditors and preventing them from becoming a public charge. They shall have full power to pass laws, which shall oblige the owners of slaves to treat them with humanity; to provide for them, necessary food and clothing; to abstain from all injuries to them, extending to life or limb; and, in case of their neglect or refusal to comply with the directions of such laws, to have such slave or slaves from such owner or owners, and sold for the benefit of such owner or owners. They may pass laws to prevent slaves from being brought into this State as merchandise only.

Sec. 2. In the prosecution of slaves for crimes of a higher grade than petit larceny, the Legislature shall have no power to deprive them of an impartial trial by a petit jury.

Sec. 3. Any person who shall maliciously dismember, or deprive a slave of life, shall suffer such punishment as would be inflicted, in case the like offence had been committed upon a free white person, and upon like proof, except in case of insurrection of such slave.—*Id*.

NEW-ORLEANS, Sep. 23.

16 DAYS LATER FROM MEXICO.

Withdrawal of the French Minister.—The U. S. steam frigate Princeton arrived at Pensacola on the morning of the 20th inst., having sailed from Vera Cruz on the evening of the 15th. Our previous dates were brought by the Mexican schr. Gerardo, which left Vera Cruz on the 30th of August. By the arrival of the Princeton we did not receive our regular files, and gather the following items of information from our correspondents and some change papers.

The French Minister, Baron Alleye de Cypres, having been again refused the operation he demanded for the personal indignities offered him some months since, has demanded and obtained his passports. He was expected to leave in the next packet from Vera Cruz. The Siglo Decimo Nueve makes an elaborate defence of the action of the Mexican Government, insisting upon it that the demands of the Baron were beyond reason, and could not be granted without trampling upon the inviolability of the powers of the judiciary and the social guarantees which repose thereupon.

By the papers received at Vera Cruz on the 14th from Mexico it appears that a despatch had arrived at the capital, stating that 3000 regular troops of the United States—and 1500 Texans were on the march for Matamoros.

By the return Herrera has received 110 out of 130 votes. Only one Department remains to be heard from.

Tobasco was still in the possession of the Federalists, and as yet the Government have been unable so despatch any troops to put down the revolt. The revolution at Tobasco is repudiated by the Federalists of Mexico.

Paredes was at San Luis Potosi with a force of 10,000 men. He was ostensibly making preparations to march for the northern frontier; but his designs are suspected, and he has been accused in Mexico of aiming at a military dictatorship. A division under his command have pronounced against the present Government, and in favor of a military system. Paredes has written that he has succeeded in restoring order, and professes to be favorably disposed to the present Government; these professions, are, however, distrusted.

The order for establishing the Defensores has been unsuccessful in most of the departments heard from. In some Departments they had not enlisted a single person. The terms of the enlistment have in consequence been modified. The system of voluntary enlistment has been regarded by the supporters of the army with great jealousy, and was denounced as intended to supplant and disband the regular troops for political purposes.

The Santa Anna Party are in favor of postponing the declaration of war against the United States to a more propitious time, in view of the present distracted and unprepared condition of the country. The Siglo XIX still contends, as it did in the outset, that as the war with the United States is a war defence solely, the object of which is to recover a portion of territory which has been wrested from Mexico; that an express declaration or announcement of war is not necessary; that the previous protests and solemn declarations of Mexico cover the whole ground.

The Government is so beset with difficulties and embarrassed in the resources, and the country is in so distracted a state, that it is believed another revolution is inevitable, and that it may occur at any moment.